

## LEGISLATIVE OVERSIGHT AND SUNSET ACT

### INTENT

- The state should not regulate any area unless it is necessary to protect the health, safety, and welfare of the public.
- Any statute or agency that is not meeting a clear public purpose should be terminated.

### REVIEW

- An interim committee *may* review a statute or agency scheduled for review.
- The agency which oversees the statute or agency is to identify the public purpose for which the statute or agency was created and identify whether the public purpose is still relevant.
- The interim committee considers relevant factors and may recommend reauthorization for up to 10 years or may recommend that the statute or agency be allowed to terminate.
- The interim committee recommendation and any statutory changes are submitted to the Legislature by January 1.

### LEGISLATIVE ACTION

- The Legislature shall pass legislation reauthorizing the statute or agency if it determines that the public interest requires the continued existence of the statute or agency.

# STATE WATER DEVELOPMENT COMMISSION

Title 73, Chapter 27

Repealed December 31, 2008

## Creation

- Codified in 2000. Reauthorized in 2003 for 5 years.

## Purpose

- Determine the state's role in the protection, conservation, and development of the state's water resources.
- Make recommendations to the Legislature and governor on:
  - (1) how the water needs of the state's growing municipal and industrial sectors will be met;
  - (2) what the impact of federal regulations and legislation will be on the ability of the state to manage and develop its compacted water rights;
  - (3) how the state will fund water projects;
  - (4) whether the state should become an owner and operator of water projects;
  - (5) how the state will encourage the implementation of water conservation programs; and
  - (6) other water issues of statewide importance.

## Membership

- Four Senators (appointed by the President) and six House members (appointed by the Speaker).
- Governor's appointments:
  - 10 representatives of water districts throughout the state;
  - Executive director of the Department of Natural Resources;
  - Executive director of the Department of Environmental Quality;
  - Commissioner of agriculture and food;
  - One member of the Board of Water Resources;
  - One representative of an organized environmental group; and
  - One representative of agricultural production.

## History of Legislative Meetings on Water Issues - 2000 to 2006

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	Water Development Commission	Water Issues Task Force	Water Funding Task Force	Total
2000	2			2
2001	1			1
2002	0		2	2
2003	3		4	7
2004	0	5		5
2005	2	9		11
2006	0	10		10

## **LEAD ACID BATTERY DISPOSAL**

### **Title 19, Chapter 6, Part 6**

- Enacted in 1991. Reauthorized in 2001. Scheduled for repeal July 1, 2006
- Prohibits the disposal of lead acid batteries at solid waste management facility.
- Requires that lead acid batteries be removed from vehicles prior to crushing or shredding.
- Requires a person to deliver used lead acid batteries to a battery retailer, wholesaler, recycling facility, or secondary lead smelter.
- A battery retailer is required to accept a customer's used battery and up to one additional battery when a new battery is purchased. Wholesalers are also required to accept a customer's used battery.
- Requires sellers of batteries to post notice of the requirement to recycle lead acid batteries and the requirement that the seller must accept used batteries.
- Establishes disposal and recycling requirements for retailers and wholesalers.
- The Solid and Hazardous Waste Control Board may authorize inspections of retailers or wholesalers to determine compliance. Inspections are made only as funding is available within the Department of Environmental Quality's budget. Local health departments may also enforce the requirements.
- A violation constitutes a class B misdemeanor.

## **ENVIRONMENTAL HEALTH SCIENTIST ACT**

### **Title 58, Chapter 20a**

- Administered by the Division of Occupational and Professional Licensing
  - Repealed July 1, 2003
  - Enacted 1995 - Replaced the Registered Sanitarian Act
  - 284 licensees
  - The Environmental Health Scientist Licensing Board is comprised of four licensed environmental scientists and one public member.
  - The practice of environmental health science includes enforcing state and local public health laws in areas such as: air quality; food quality; solid, hazardous, and toxic substances disposal; consumer product safety; housing; noise control; radiation protection; water quality; vector control; drinking water quality; milk sanitation; rabies control; public health nuisances; indoor clean air regulations; institutional and residential sanitation; and recreational facilities sanitation.
  - Most environmental health scientists work for state, county, and municipal governments providing services in conjunction with governmental permitting or licensing of entities such as restaurants, day care facilities, schools, food service, swimming pools, water systems, etc.
  - Environmental Health Scientist services are rarely provided directly to the general public.
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## **WILDLIFE HERITAGE ACT**

### **Title 23, Chapter 26**

- Administered by the Division of Wildlife Resources
- Repealed December 31, 2003
- Enacted 1993
- The Wildlife Heritage Advisory Committee is comprised of three members representing nonconsumptive wildlife interests, one member representing consumptive interests, and one member representing agricultural interests.
- The Wildlife Heritage program is intended to address ". . . *the growing public demand for nonconsumptive wildlife management*" and demonstrate ". . . *the importance of wildlife for all Utahns by emphasizing the ecological role of wildlife.*"
- The program is funded through the sale of Wildlife Heritage certificates and donations.
- Funds are to be used to: inform and educate; establish and enhance nonconsumptive wildlife management areas; research wildlife and ecosystems; administer, develop, and promote the program; and provide emergency feeding of wildlife.